

### **REMARKS**

Claims 17-24 remain pending in the application. New Claims 25-31 have been presented for consideration. Reconsideration of the rejections set forth in the aforementioned Office Action is respectfully requested in view of the above amendments, new claims and following remarks. The basis for these amendments and new claims can be found throughout the specification, claims and drawings as originally filed.

### **ALLOWABLE SUBJECT MATTER**

Claims 18-21 and 24 stand objected to as "being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." New Claim 25 corresponds to Claim 18 rewritten in independent form. New Claims 26-31 depend from independent new Claim 25. Accordingly, new Claims 25-31 should be in condition for allowance.

### **OBJECTION TO SPECIFICATION**

The specification stands objected to because of various informalities. Applicants respectfully submit that the specification has been amended in order to correct the stated informalities. Accordingly, Applicants respectfully request that the Examiner enter these amendments to the specification and withdraw the objection to the specification.

### **DOUBLE PATENTING REJECTION**

Claims 17 and 22-23 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 17 and 22-23 of copending Application No. 10/006,859 in view of Lee, U.S. Patent No. 5,229,043. Applicants respectfully traverse this rejection.

The Examiner alleges that it “would have been obvious to one of ordinary skill in the art at the time the applicant’s invention was made to modify the Application ‘859 by providing a mixer to mix a pressurized fluid with a gas source as taught by Lee, because by doing so the high pressure fluid could be mixed at the molding site and less fluid would be stored at high pressure. . . . This is a provisional obviousness-type double patenting rejection.” While Applicants disagree with the Examiner’s allegation, in the interest of expediting prosecution of the present application, and without prejudice, Applicants respectfully submit herewith an executed Terminal Disclaimer in compliance with 37 C.F.R. 1.321, along with the appropriate filing fee set forth in 37 C.F.R. 1.20(d), since the cited application and the present application are commonly owned. Applicants thereby respectfully request that the Examiner reconsider and withdraw his double patenting rejection.

### **CONCLUSION**

All the stated grounds of rejection have been properly traversed, accommodated or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office

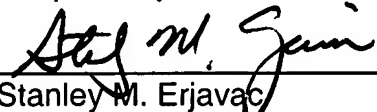
Action, and as such, the present application is in condition for allowance. If the Examiner believes that personal communication will expedite prosecution of this application, he is invited to contact the undersigned at his earliest convenience.

Dated: December 22, 2003

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

SME/ld  
Enclosure

Respectfully submitted,

By:   
Stanley M. Erjavac  
Reg. No. 38,442